

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant :	Francesca Kuglen	Atty Docket:	K551-003.B
Serial No. :	10/764,279	Examiner:	Robyn Kieu Doan
Filed :	January 22, 2004	Art Unit:	3732
For :	STRETCH COMB HAIR RETAINER	Conf. No.:	9690

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**RULE 132 DECLARATION OF CONNIE MONTIECE STEWART  
(37 CFR 1.132)**

This declaration is offered in support of the above-identified patent application by Francesca Kuglen.

I, Connie Montiece Stewart, declare as follows:

1. I am a resident of Scottsboro, Alabama and president of Rust Innovations, LLC. I am also a designer of hair accessory products.

2. I am familiar with the double comb hair accessory product created by Ms. Kuglen called Hairzing. Hairzing uses wire loop combs connected by beaded crisscrossed elastic strands. In one version, the elastic strands are interconnected where they cross, and in another version the strands simply cross each other and are not interconnected.

3. I have also reviewed Ms. Kuglen's published patent application Serial No. 10/764,279, which is directed to her Hairzing product.

4. I am aware of and have seen in the marketplace a double comb hair accessory called EZ Combs. The EZ Comb product is a substantially identical copy of Ms. Kuglen's Hairzing product: it has wire loop combs interconnected by beaded crisscrossed elastic strands. In the case of EZ Combs the crisscrossed elastic strands are not interconnected.

5. EZ Combs are distributed by a company called Telebrands, Corp. headquartered in Fairfield, New Jersey. Telebrands is one of the largest infomercial companies in the world. A print-out of a Telebrands webpage devoted to EZ Combs is attached hereto as Exhibit A.

6. I am aware that EZ Combs has been an extremely successful product in the consumer market. The EZ Combs product is sold by Telebrands through mass market retail outlets such as Walmart Stores and Walgreens. I am informed that Telebrands has sold 7 million EZ Combs as of October 2009. I obtained this sales information directly from Telebrands management personnel.

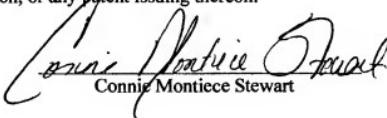
7. More specifically, on October 16, 2009, I attended a meeting at Telebrands, Corp. at their offices in Fairfield, New Jersey. The purpose of my meeting with Telebrands was to show to Telebrands a hair accessory product that I had designed. (My new hair accessory product was and is the subject of a pending U.S. patent application.) Telebrands personnel who attended the meeting included Ajit Khubani, Poonam Khubani, and Sunny Khubani. I am informed that Ajit Kubani is the President and CEO of Telebrands.

8. At that meeting, Mr. Ajit Khubani told me that Telebrands had sold 7 million EZ Combs and that this product was a very successful product for Telebrands. He commented that EZ Combs did well even in a recession.

9. I consider Ms. Kuglen's Hairzing product to be a very unique product. I believe her use of wire loop combs to be unusual. Wire is soft and bendable and I would not have thought to use wire combs for a double comb hair accessory product like Hairzing.

The undersigned declares that all statements of her own knowledge made herein, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application, or any patent issuing thereon.

Date: 11/25/09



Connie Montiece Stewart

**Application No. 10/764,279**

**Declaration of Connie Montiece Stewart**

**37 CFR 1.132**

## **EXHIBIT A**

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**EZ COMB**

**WORKS ON ANY HAIR TYPE**

**COMFORTABLE SECURITY**

EZ Combs™ is the new hair accessory that stretches to easily create popular hairstyles instantly! It's great for women of all lifestyles with thin and thick hair. Today as part of this special internet offer, you will receive the amazing new EZ Combs™ in fashionable Caramel Bronze and Dazzling Silver for only \$10 plus \$6.99 shipping and handling. As a BONUS, you'll also get our Classic Bermuda Black EZ Combs™ and our helpful Styling DVD that you'll love, just pay separate \$6.99 shipping and handling. This special EZ Combs™ offer for only \$10 is not available in stores so the only way to get it is to place your order now!

EZ Combs™ works like magic to transform your hairstyle from ordinary to beautiful - in just seconds. You'll easily create an amazing looking result that will impress people. The best part is that it's so comfortable to wear, that you'll wear it for hours without even remembering you have it on. The secret is the specially designed dual combs with 10 durable bungees that stretch and hold your hair. EZ Combs™ works beautifully on any hair type...thin, thick curly or straight. They even look great on short hair too! You can create so many styles with EZ Combs that you'll want to use it compliment any style or occasion. You'll get the popular Caramel Bronze and the Dazzling Silver EZ Combs™ so you can use it to match different styles. So, if you're like most women with busy and hectic lifestyles, you'll want to always look your best every time you go out. This is a product you need to have. So treat yourself to a EZ Combs™ today while this special promotion is still active!

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